



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/986,633	11/09/2001	Chien Ho	002547/20118/div2

Mary-Elizabeth Buckles, Esq.  
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East Tower - Suite 1100  
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Washington, DC 20005-3317



CONFIRMATION NO. 5945

## FORMALITIES LETTER



\*OC00000007345629\*

Date Mailed: 01/23/2002

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- A request to transfer the computer readable form from another application on file at the U.S. Patent and Trademark Office has been submitted as permitted by 37 C.F.R. 1.821(e). However, the request cannot be complied with since there is no compliant CRF present at the United States Patent and Trademark Office. Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspt .gov

The following item(s) appear to have been omitted from the application:

- Figure(s) 1A & 1B described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

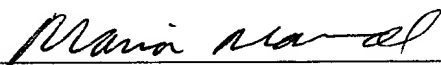
II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*



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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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002547/20118/div2  
Box 500

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of )  
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CHIEN HO, et al. )  
 )  
Serial No.: 09/986,633 )  
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Filed: November 9, 2001 )  
 )  
For: LOW OXYGEN AFFINITY MUTANT )  
HEMOGLOBINS )

Group Art Unit:

Examiner:

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the "Notice To File Corrected Application Papers" mailed January 23, 2002 ("Notice") applicants hereby submit the following items for filing in the above-referenced application:

- substitute drawings (20 pages) in compliance with 37 CFR 1.84;
- an initial computer readable form (CRF) copy of the Sequence Listing for the above-referenced application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence (paper) listing (attached) and includes no new matter along with a copy of the sequence listing filed in parent application Serial No. 09/598,218;
- a petition in support of the original deposit of Figures 1A and 1B;
- a check for the \$130 petition fee; and

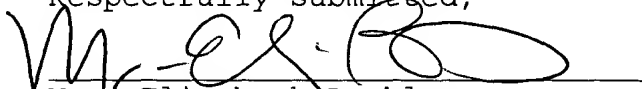
- a copy of the Notice.

The undersigned hereby states that the sequence listing information in the computer readable form submitted herewith is identical to the written (paper) sequence listing and includes no new matter as between them or as compared to the sequence listing filed in parent application Ser. No. 09/598,218. A copy of the paper sequence listing from parent application Ser. No. 09/598,218 is also enclosed.

The Commissioner is hereby authorized to charge Deposit Account NO. 18-0582 for any additional fees, or credit any overpayment to Deposit Account NO. 18-0582. A duplicate copy of this document is attached.

Applicants now respectfully believe that they have met the requirements of the Notice as referenced above, and request that the U.S. Patent and Trademark Office examine the application on the merits.

Respectfully submitted,

  
Mary-Elizabeth Buckles  
Registration No. 31,907

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Filed: March 25, 2002